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REMARKS

Favorable reconsideration and reexamination of this application are requested in view of the above amendments and the following remarks. Claims 1, 17, and 20 are hereby amended. Claim 18 is canceled without prejudice or disclaimer.

The amendment of claim 1, reciting "a sensor for detecting an alarm state having a lower priority than a failure to wear a seat belt, said electronic controller being adapted in such a manner that a second sound emitter is activated in a pattern different from said sound emitting state of said first mentioned sound emitter only during said silent state of said first sound emitter when said lower priority alarm state is produced", is supported by subject matter of claim 18. Claims 17 and 20 are amended editorially.

Claims 17 and 20 were objected to as not being clearly defined. Claims 17 and 20 are amended to address the concerns of the Examiner. Favorable reconsideration and reexamination of claims 17 and 20 are requested.

Claims 1, 4-9, 11 and 12 were rejected under 35 USC 102(b) as being anticipated by King (US 6,501,374). Claim 1 includes subject matter of claim 18 that was not subjected to the current rejection. Therefore, the rejection is rendered moot.

Further, King does not disclose a system for warning a failure to wear a seat belt including an electronic controller that activates a sound emitter when a vehicle speed is higher than a first threshold level and said seat belt is not fastened, and the sound emitter cyclically alternates between a sound emitting state and a silent state when activated, as required by claim 1.

While the secondary warning system (10) disclosed by King takes into account the traveling speed of the vehicle when being activated, the reference discloses a control module (12) that deactivates a primary seat belt warning system (35) after a prescribed time interval, regardless of whether the seated occupant buckles the seat belt or not (see

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column 4, lines 33-36). If the seat belt is not buckled, King discloses that a secondary warning system (10) is activated (see column 4, lines 38-40). Even the secondary warning system (10) is deactivated after five minutes of time, whether or not the seat belt has actually been buckled (see column 5, lines 16-18).

In contrast, the invention of claim 1 requires that the system for warning be activated when the vehicle speed is higher than the first threshold and the seat belt is not fastened. Activation is not disabled by lack of activity by the occupant of the driver, as disclosed by King.

Since King does not disclose all the elements of claim 1, the reference cannot be considered to anticipate the invention of claim 1. Favorable reconsideration and reexamination of claims 1, 4-9, 11 and 12 are requested.

Claims 2 and 3 have been rejected the Examiner under 35 USC 103(a) as being unpatentable over King. Claims 2 and 3 should be considered allowable for at least the same reasons as claim 1, from which they depend. Applicants are not conceding the correctness of the rejection as applied to the rejected claims. Favorable reconsideration and reexamination of claims 2 and 3 are requested.

Claim 10 was rejected under 35 USC 103(a) as being unpatentable over King in view of Mutter (US 5,483,221). Claim 10 should be considered allowable for at least the same reasons as claim 1, from which it depends. Mutter does not remedy the deficiencies of King, as previously noted. Applicants are not conceding the correctness of the rejection as applied to the rejected claim. Favorable reconsideration and reexamination of claim 10 are requested.

Claims 13 and 14 were rejected under 35 USC 103(a) as being unpatentable over King in view of Slepian (US 5,954,781). Claims 13 and 14 should be considered allowable for at least the same reasons as claim 1, from which they depend. Slepian does not remedy the deficiencies of King, as previously noted. Applicants are not conceding

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the correctness of the rejection as applied to the rejected claims. Favorable reconsideration and reexamination of claims 13 and 14 are requested.

Claims 15-21 were rejected under 35 USC 103(a) as being unpatentable over King in view of Menig (US 6,289,332). Claims 15-21 should be considered allowable for at least the same reasons as claim 1, from which they depend. Menig does not remedy the deficiencies of King, as previously noted.

Further, Menig does not teach or suggest a warning system including "a sensor for detecting an alarm state having a lower priority than a failure to wear a seat belt, said electronic controller being adapted in such a manner that a second sound emitter is activated in a pattern different from said sound emitting state of said first mentioned sound emitter only during said silent state of said first sound emitter when said lower priority alarm state is produced", as required by claim 1. While Menig may teach setting different priorities on different alarm situations, the alarm messages are only visually displayed, rather than emitted by sound, as required by claim 1. Therefore, one knowledgeable in the art would not look to Menig to teach how two different alarm messages may be combined in an audible warning, as recited in claim 1.

Since the combination of King and Menig does not teach all the required elements of the warning system of claim 1, the current invention must be reconsidered unobvious over the cited references. Favorable reconsideration and reexamination of claims 15-21 are requested.


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In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. 29,165, at (612)455-3802.

Respectfully Submitted,

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